



**NEIGHBORHOOD ENHANCEMENT COMMISSION  
REGULAR MEETING  
Wednesday, March 14, 2007  
Civic Center Conference Room  
3<sup>rd</sup> Floor One Civic Center  
7447 E. Indian School Road**

**PRESENT:** Christine Schild, Chair  
Patricia Badenoch, Commissioner  
John Horwitz, Commissioner  
Jeff Kidder, Commissioner  
Jim Pompe, Commissioner (left at 6:52 p.m.)

**ABSENT:** Aaron Kern, Vice-Chair  
Lisa Haskell, Commissioner

**STAFF:** Malcolm Hankins, Code Enforcement Manager  
Joanie Mead, Neighborhood Education Manager

**GUEST:** Darlene Petersen (left at 6:41 p.m.)

**CALL TO ORDER/ROLL CALL**

Chair Schild called the meeting to order at 5:37 p.m. A roll call confirmed the presence of Commissioners as noted above.

**1. Approval of February 15, 2007 Minutes**

Chair Schild requested that the eighth paragraph on page two of the minutes be changed to read, "Chair Schild recalled a Commissioner pitching an event during the public comment session of a City Council meeting. It was agreed that either she or Vice-Chair Kern would attend the next Council meeting ..."

**COMMISSIONER KIDDER MOVED TO APPROVE THE MINUTES OF THE FEBRUARY 15, 2007 MEETING AS AMENDED. COMMISSIONER POMPE SECONDED THE MOTION, WHICH CARRIED WITH A VOTE OF FIVE (5) TO ZERO (0).**

## **2. Code Enforcement Update—Malcolm Hankins, Code Enforcement Manager**

Mr. Hankins presented information on Scottsdale's Code Enforcement, stating that two years ago he was assigned the duty of ensuring that Code Enforcement was out in the community making a difference in property issues and anything negatively affecting communities and neighborhoods. He took the following actions to institute his new duty:

- 1) placed an emphasis on having staff spend more time in the field,
- 2) directed staff to be more active in identifying violations,
- 3) and increased staffing.

Mr. Hankins reported that Code Enforcement currently consists of 12 code inspectors, three senior inspectors, and two code enforcement specialists. He pointed out that they were building up their administrative process to reflect what they were doing out in the field. Mr. Hankins clarified that they manage Code Enforcement and the citation process developed on its behalf.

Mr. Hankins elaborated that they are working on being progressive in their enforcement process through education and outreach, contact with residents, and the ability to issue notices, citations, and criminal complaints, and to abate certified violations.

### **Mission Statement:**

Mr. Hankins summarized that their Mission Statement was, "To create collaborative relationships and partnerships among citizens, groups, and local government." He stated that ultimately their goal is to enhance the community's quality of life.

### **What's New In Code Enforcement?**

**1. Management System:** Mr. Hankins reported they have been developing a code enforcement management system over the past two years that allowed them to process complaints more effectively. He explained that the tracking system allowed Code Enforcement in the field to view cases on area maps and to open new enforcement cases so the system could generate the Notice of Violation.

Mr. Hankins stated that the Notice of Violation generated by the system was more professional looking, has consistent language, and provides more information on the process enacted when violators do not cooperate.

**2. Condition Based Inspections:** Mr. Hankins reported that Code Enforcement was charged with enforcing the Uniform Housing Code adopted by the City of Scottsdale. He pointed out there was no streamlined approach to getting Code Enforcement involved in complaints about tenants and conditions within their apartments.

Mr. Hankins stated that they now address tenant issues on a fairly consistent basis, identifying repeat offenders by sending notices to the owners requesting that they allow Code Enforcement to come out and inspect their properties.

Mr. Hankins elaborated that they are creating collaborations with citizen liaisons and police in areas with known criminal activity to work collectively as a whole.

**3. Extended Enforcement Hours:** Mr. Hankins reported that staff was now available from 8:00 a.m. to 7:00 p.m. Monday thru Sunday (depending on flex schedules), noting that fewer staff are available over the weekends.

**4. Chapter 22 Ordinance:** Mr. Hankins stated that they plan to revise their administrative citation ordinance that outlines the hearing process to benefit both the customer and Code Enforcement. He pointed out that they plan to reduce the number of hearings by changing the process so that hearings only occur when someone requests a hearing when they do not agree with the citation.

Mr. Hankins explained that court ordered abatements were last-ditch efforts to resolve issues where a person does not cooperate such as picking up trash, removal of junk vehicles, storage, or salvage items. He pointed out that this process has resulted in quick compliance by property owners.

In response to Commissioner Horwitz' inquiry regarding billing, Mr. Hankins responded that they provide the owner with an invoice for the cost of the abatement.

In response to Commissioner Horwitz' inquiry regarding who is responsible for bars and clubs, Mr. Hankins explained that they also cover special events and the use of facilities. He noted that they address parking and noise control. Other agencies collaborate to address liquor license enforcement, and facility maintenance issues.

**Complaint/Case Trends:**

Mr. Hankins presented an Annual New Case Count chart, stating that there were a small percentage of properties that would not comply without aggressive enforcement. He commented that the chart breaks down the cases they issued formal notices on from 2004 to 2007.

Mr. Hankins explained that they had an increase from approximately 10,000 complaints issued in 2004 to over 14,500 complaints issued in 2005, and more than 17,000 complaint issues in 2006. He reported that 2007 was currently over 3,400 complaints.

He summarized that Code Enforcement increased their ability to initiate cases. Code staff accounted for 41% of the complaint issues addressed in 2005, 55% in 2006, and year to date more than 70% in 2007. He noted that they met with other city governments to discuss performance trends and tracking results.

Mr. Hankins agreed with Chair Schild's comment that other cities do not have staff to initiate cases and most complaints issued were neighbor initiated. She pointed out that there was a clear desire by the community to have Code Enforcement initiate complaints.

Mr. Hankins presented an Average Response Time chart, stating that it was very important to respond quickly to complaints. He reported that increased staff and expanded work hours has contributed to reducing their response time from 3 ½ days to under 2 days. Discussion ensued regarding the increase in staff since 2004 compared to 2007, and the benefits resulting from increased hours and availability.

Mr. Hankins reported that their new system emails the inspectors reminders on citations that have reached their 30-day time period for reply. He explained that it also prioritizes the cases and differentiates them through markers.

Mr. Hankins stated that they now have a partnering system where they can reassign an area geographically to another inspector whenever necessary. Discussion followed regarding systematically rotating territory assignments.

Mr. Hankins explained that they want their inspectors to be knowledgeable about issues in their assigned area, noting that sometimes the level of cases in a particular area dictates boundary changes.

Mr. Hankins presented charts on case cycle time trends and average cycle time in days. He stated that they could not close a case until they have assurance that it was resolved.

Mr. Hankins confirmed that their goal was to resolve a case within a 30-day period. He pointed out that cases went longer when zoning related issues were involved and required staff to investigate and collaborate with residents in the area. Discussion followed regarding residential use case types such as receiving large amounts of packages, selling cars, and home based businesses.

Mr. Hankins reported that other cities separate adjudicated from non-adjudicated cases. He pointed out that the chart included all of the City of Scottsdale's cases, including cases where criminal charges have been filed.

Commissioner Pompe elaborated that the chart reflected the identification of tougher cases in 2004/2005, causing longer resolution times. He pointed out that now that Code Enforcement was more efficient they seem to be identifying and resolving cases quicker.

In response to Commissioner Horwitz' inquiry as to why the criminal cases were not pulled out and charged separately, Mr. Hankins responded that was the procedure used by other cities.

Mr. Hankins reported that Scottsdale's Code Enforcement has created collaborations to resolve cases:

- 1) on-street vehicle parking enforcement collaboration with the Police Department,
- 2) community restitution worker programs to address easements, problem properties, and ongoing maintenance (increased focus since November 2006), and
- 3) other collaborations with solid waste and building inspectors.

In response to Commissioner Kidder's inquiry regarding inspectors being threatened, Mr. Hankins explained that the inspectors have police with them when abating a property.

**Education/Outreach:**

Mr. Hankins reported that their education/outreach includes:

- 1) a neighborhood college program that teaches code enforcement basics,
- 2) code enforcement focus groups,
- 3) neighborhood walk and talks,
- 4) community group meetings, and
- 5) speaking engagements at real estate schools.

Mr. Hankins explained the broken window analogy, stating that crime and disorder are linked to the environment. He elaborated that when neglected property was allowed to remain in poor condition, it sends the message that nobody cares.

Mr. Hankins stated that the relationship between crime and neighborhood deterioration was the leading justification for comprehensive code enforcement programs.

Mr. Hankins reiterated that Code Enforcement is not an independent contractor and relies heavily on collaborations. He cited Babe Ruth's quote, "The way a team plays as a whole determines its success...you can have the greatest bunch of individual stars in the world, but if they don't play together, the club won't be worth a dime."

**Q & A:**

In response to Commissioner Badenoch's inquiry regarding what rules related to home based business, Mr. Hankins stated that Code Enforcement had a set of guidelines to follow when identifying obvious home based businesses in code violation. He elaborated that they did not allow signage advertising the location, increased vehicular activity, or noisy equipment not customary to a home, and that only occupants of the home can participate in the business.

In response to Commissioner Badenoch's inquiry regarding the availability of a Code Enforcement territorial map, Mr. Hankins responded that they did not have an on-line inspector-based map. Residents could call the Code Enforcement hotline to find out which enforcement officer was assigned to their area. Also, cases in the public on-line system indicate the area inspector and contact number.

In response to Commissioner Pompe's inquiry regarding whether group homes/shelters were licensed, Mr. Hankins reported that the ordinance allowed specific types of group homes and what type of zoning they were allowed in. He elaborated that the conditions of the zoning ordinance designated the number of people allowed per home and in what condition the home must be kept.

Upon further discussion of the matter, it was confirmed that group homes/shelters licensed by the Department of Health Service include: adult care, disabled adults, recovering alcoholics, drug addicts, homeless people, and women affected by domestic abuse.

**3. Discussion to prepare for the Commission's Strategic Planning Session/Retreat proposed to be held in April 2007**

Ms. Mead reported that the Retreat was going to be held in the 2<sup>nd</sup> floor press box at the Scottsdale Stadium on April 4, 2007, noting that the time changed to 11:00 a.m. - 3:00 p.m.

Ms. Mead explained that although Commissioner Haskell's appointment ends on April 20<sup>th</sup>, she does not plan to attend the retreat. She agreed to invite the new Commission member once he or she is appointed on March 20, 2007.

Ms. Mead reported that Brent Stockwell, Assistant to City Council/Mayor, would be the retreat facilitator.

Discussion followed regarding the order of the retreat agenda and what the components should consist of. The Commission created the following outline as a result of the discussion:

1. Historical Perspective on the Neighborhood Enhancement Commission's Origination

Ms. Mead reported that she would be inviting past commissioners such as Nancy Cantor to discuss the Commission's origination, Bylaws and Ordinance, and projects that have been initiated or discussed over the years. She stated that they would start the meeting with the historical segment to be followed by lunch and discussion.

2. Review and Discussion of the Ordinance and Bylaws

Ms. Mead recalled Commissioner Pompe's recommendations that they identify what the Commission has done in the past and what the Commission's original Mission was in the Bylaws when initially formed. She elaborated that they should discuss what projects the members would like to continue with and what elements the Commission would like to change.

3. Future Goals and Setting Priorities

Ms. Mead summarized that the discussion would include discussion on the past, how it related to the Bylaws, and how the Commission wants to proceed in the future. She noted that once the Commissioners have heard the history they might want to integrate some of the past ideas into future goals.

Ms. Mead explained that the Bylaws discussed what the goals and objectives of the Commission should be.

4. Brainstorm a Mission Statement

Commissioner Pompe pointed out that it would be easier to decide on setting priorities and goals if the Commission had a clear mission statement, which would give the Commission more focus.

In response to Chair Schild's inquiry regarding the statement at the top of the NEP application, Ms. Mead explained that it was only the purpose of the NEP program and not a mission statement.

Commissioner Kidder suggested that they locate key words or sentences in the Bylaws to help draft a mission statement. Commissioner Pompe suggested that all Commission members review the Bylaws before the retreat, and be prepared to make recommendations. In response to Commissioner Pompe's request for a clear Mission Statement, Chair Schild requested that a draft statement be prepared for review and finalization at the retreat.

In response to Commissioner Horwitz' suggestion that they add a retreat discussion on funding, Ms. Mead reported that they were asking for \$100,000 funding in next year's budget.

Chair Schild suggested that they include a future agenda item addressing Commission Funding or include it under the Bylaw Ordinance review.

**4. Staff and Commission Updates (A.R.S. § 38-431.02 (K)).**

Ms. Mead presented the newly printed NEP folder and described its inserts as follows: Guidelines, Application, Sweat Equity form, Maintenance Project Supplemental Information form asking how the public benefits from their project, and information on the Better Business Bureau and the Registrar of Contractors' website.

Ms. Mead explained that she also included information stating that they could download the application from the City's website using Adobe Acrobat, or they could contact her and she would email them the application as a Word document.

Ms. Mead stated that approximately 25-30 people attended the two NEP orientation workshops held last week. Discussion followed regarding how many attendees would apply for funding, previous applicants reapplying in the fall, and the grant cycle deadline of May 4, 2007.

Ms. Mead presented a Tribune article noticed by Commissioner Kidder, explaining that it covered all of the things they previously discussed that they hoped a reporter would include in their story.

Ms. Mead stated that an Arizona Republic reporter contacted her regarding an article about the NEP workshops. She asked Ms. Wallace to encourage the reporter to wait until the fall to print the article instead of next week and Ms. Wallace told her that they should accept whatever publicity was offered.

Ms. Mead expressed her thanks to Vice-Chair Kern for attending the City Council meeting to announce the recent NEP workshops. Discussion ensued regarding the recent City Council meeting and Vice-Chair Kern's presentation.

In response to Chair Schild's inquiry regarding the meeting location of the upcoming canvassing event, Ms. Mead agreed to get clearer instructions and email them to Commission members who wished to attend. She explained that her current

instructions stated they were to meet behind the Boys and Girls Club at 9:30 a.m. and the canvassing was scheduled for 10:00 a.m. – 11:30 a.m., followed by a picnic at Eldorado Park.

Chair Schild and Commissioner Kidder agreed to attend the canvassing and to distribute NEP program information from a table at the picnic. Ms. Mead explained that anyone who wants to participate in the canvassing must let her know in advance, since they plan on assigning pairs to specific mapped out locations.

Ms. Mead presented the Neighborhood College Brochure and summarized that it contained information on the Code Enforcement Basics Class/Focus Group as two of the 14 workshops.

Ms. Mead provided an NEP account update, explaining that nothing has changed over the past month. She noted that she subtracted the projects recently approved by City Council from the account balance.

Ms. Mead reported that the current balance was \$46,558.50 before subtracting the Rock the House program. Discussion followed regarding an article on the Rock the House event scheduled for the weekend of April 28<sup>th</sup>.

#### **5. Open Call to the Public (A.R.S. § 38-431.02)**

In response to Ms. Petersen's inquiry regarding how Code Enforcement can be contacted on the weekend, Mr. Hankins reported that they have a new phone number they plan on publicizing. Ms. Petersen explained that over the past couple of years she has seen people parking in their yards over the weekend because Code Enforcement was not available at that time. She agreed that the overall increase in staff improved Code Enforcement's response time as a result of more staff in the field.

Ms. Petersen asked whether Mr. Hankins had spoken to the Planning Commission about the sign ordinance and how it addressed issues related to yard sale and estate sale signs. Mr. Hankins recalled his discussion with Ms. Petersen on the subject, and noted that it was more a matter of interpretation of the ordinance.

Ms. Petersen explained that she called the One Stop Shop to find out what type of permit was required when putting out signs for estate and yard sales, and she was informed that a permit was not necessary. Mr. Hankins reported that the signs that are allowed off-site were open house and directional real estate signs for development.

In response to Ms. Petersen's request for a clarification of former Councilman Tom Silverman's motion regarding front yard parking restrictions, Mr. Hankins agreed to research it and get back to her.

#### **6. Next Meeting Date and Future Agenda Items**

Ms. Mead undertook to cancel the April 11, 2007 meeting and reminded everyone to attend the retreat scheduled for April 4, 2007.



Commissioner Horwitz suggested that Ms. Mead email the Commissioners a reminder to send her any proposed agenda items to be added to the retreat's agenda within the next week.

## **ADJOURNMENT**

With no further business to discuss, being duly moved and seconded, the meeting adjourned at 7:13 p.m.

Respectfully submitted,  
AV-Tronics, Inc.